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Letter dated 3 February 1996 from the Chargé d'affaires a.i. of the Permanent Mission of Israel to the United Nations addressed to the Secretary-General

I wish to refer to the letters dated 17 January 1997 (S/1997/41) and 23 January 1997 (A/52/63-S/1997/70) from the Permanent Representative of Lebanon to the Secretary-General of the United Nations and to respond to certain misleading points therein.

The precarious situation in southern Lebanon is caused by the acts of the terrorist organizations, mostly Hezbollah, which use Lebanese territory as a base of aggression against Israel; by the Government of Lebanon's refusal to disarm these groups; and by the aid and encouragement given to terrorist organizations both by the Government of Lebanon and by States well known for their support of international terror. Lebanon cannot export terrorism and expect peace in return.

Any action by Israel in response to such terrorism has thus been taken solely in self-defence and has regretfully been made necessary precisely because the Government of Lebanon has been, and unfortunately remains, ineffectual, unable or unwilling to carry out its basic duty under international law and the Charter of the United Nations of preventing its territory from being used as a base for Hezbollah and other terrorist groups' attacks against Israel and its citizens. Lebanon has, time and again, had the opportunity to extend central authority over all its territory, yet the Beirut Government has repeatedly demonstrated an incredible inability to act in this regard. Thus Lebanon's efforts at recovery from a decade of ruthless civil war, which are alluded to by its Permanent Representative, are hampered, not by any action on Israel's part, but by its own ineptitude. Clearly, Lebanon needs first to create a solid foundation of peace and tranquillity upon which to build this recovery.

Israel would welcome a change whereby Lebanon ceases to enable its territory to be illegally used for unprovoked terrorist ends, and so puts an end to the current situation of attacks on Israel and its territorial integrity. For Lebanon cannot export terrorism and expect peace in return. Were it not for the unprovoked and relentless terror emanating from Lebanese soil, the southern border with Israel would be calm and safe.

In this context it should be clearly stated that the purported justification advanced by Lebanon for terror activities against Israel, that of claiming a so-called "right of resistance", is completely spurious and has no basis whatever in international law. Any attempt to use General Assembly resolutions as the source of such a claim is a deliberate incorrect misinterpretation of Assembly resolutions, which clearly and unequivocally call for the total rejection of all forms of violence and terror. In fact the very opposite is true. No Assembly resolution can properly be used to justify terror. Moreover, General Assembly resolution 51/210 of 17 December 1996 concerning measures to eliminate international terrorism clearly establishes that there is no justification whatsoever for acts of terror.

It should be stressed that Lebanon's position and policies are the primary obstacle in the way of fulfilment of the role of the United Nations Interim Force in Lebanon (UNIFIL) as they enable the infiltration of armed terrorists in or through its area of operations, thereby placing upon UNIFIL the impossible task of trying to deal with a situation for which it was not created and for which it has no mandate.

Furthermore, Lebanon's refusal to return to the conference table to discuss a treaty of peace is at odds with its claim to be committed to the Middle East peace process, which is based, as set out in the Joint Invitation issued to all Parties by the Co-sponsors to the Madrid Conference, solely on United Nations Security Council resolutions 242 (1967) and 338 (1973). The invitation issued to Israel did not include the Letter of Assurance to the Government of Lebanon referred to by the Lebanese Permanent Representative, which, therefore, can in no way serve as a basis for negotiations between Israel and Lebanon in the Madrid peace process. If the Government of Lebanon truly wishes to achieve a peaceful settlement, it has to control its heavily armed, semi-independent militias and to resume direct negotiations with Israel in accordance with the agreed upon terms of reference of the peace process. Israel has suggested this many times in the past, lamentably to no avail.

I would be grateful if you would have the present letter circulated as a document of the General Assembly, under the item entitled "Measures to eliminate international terrorism", and of the Security Council.

(Signed) David PELEG
Ambassador
Chargé d'affaires a.i.